

**City of New Castle  
Ethics Committee Meeting  
Town Hall 201 Delaware Street  
Thursday, Dec 14, 2017  
7:00 p.m.**

Roll Call

Councilperson Michael Quaranta, Chair

Daniel Losco, City Solicitor (Arrived at meeting 7:34)

Rev. Aaron Moore, City Resident

Judie Baldini, City Resident

Katie McCormick, City Resident

Members Absent:

Dan Bungy, City Resident

Meeting was called to order at 7:19 p.m.

**Outline Review and Recommendations**

Mr. Quaranta suggested that the committee go through the outline of recommendations, and vote on what they would like to forward to the City Council.

Review of outline –

Mr. Quaranta asked members to review the outline and note if there anything missing that has been discussed.

Mrs. Baldini said she is still advocating for training not only for the Commission but for all Boards and Commissions as well as Council, and would like to see that language added to the outline.

Discussion of what training and Code of Conduct policies are in place in the City for employees.

Mr. Quaranta recommended letter J. be amended to say, the Commission would meet on an ad hoc basis as complaints are received, but would be required to meet at least once per year to receive refresher training on the Code of Ethics, and to review the Code and make recommendations to Council for those revisions. Such refresher training would be available to persons subject to the Code.

Rev. Moore stated that the document seemed to propose the establishment of an Ethics Commission.

Mr. Quaranta stated that if the Task Force accepts these outlined items, one of the things they are going to recommend to Council is to adopt the State Code into the City Code, and create a commission of 7 people that would hear complaints. This would give the public an independent Board to hear their any issues. The Commission could dismiss or set aside the concern, or act on it with a recommendation to City Council.

Rev. Moore asked if the greatest authority of the Commission would have would be to make recommendations.

Mr. Quaranta said that this Commission of 7 City residents would review the complaint, and then Council could accept or set aside the recommendation, which takes the politics out of Council hearing complaints about a colleague. Someone else hears the facts, makes the deliberations and makes the judgment.

Ms. McCormick said this is intended to remove the deliberative and procedural aspects of a complaint from the seat of political power and make informed objective recommendations that have enormous force to the people who have been elected.

Rev. Moore asked what process is in force if the violation is beyond just receiving a reprimand or censure.

Ms. McCormick said the Task Force has discussed this, and with respect to people not covered by any other contract or code, and that is elected officials, there is no check in the system that is appropriate outside of the ballot box. This at least gives a forum to hear complaints objectively, and makes recommendations to Council. This is a weak form of enforcement, but it gives voice to process complaints that currently does not exist.

Mr. Quaranta stated that part of the challenge is that we have the current State law, and free speech rights. The Commission will need a code, or guiding principles they can refer to when they receive a complaint. The outline goes on to lay out the authority of the Commission and how it would operate.

Mr. Quaranta amended letter J to expand training to others subject to code.

Mr. Losco asked if they wanted to recommend that the Commission provide training for Council and other Committees.

Mrs. Baldini said she felt the training information should stand alone; it is included in the Code under procedures.

Ms. McCormick suggested adding a paragraph starting one of the missions of the commission shall be to educate persons subject to the Code.

Mr. Quaranta ask for a motion for a provision that provides for the additional training, that the Commission would provide to others subject to the Code, and such refresher training be open to others.

Rev. Moore asked if the training would be mandatory. Mr. Quaranta suggested it could be a condition to serve for Commission and Board members.

Mrs. Baldini made the motion, and Ms. McCormick seconded and passed unanimously

Mr. Quaranta suggested that to serve on a Board or Commission training would be a condition to serve. At least once during each person's terms they should be required, and encouraged to attend annually, preferably during first year of service. The members of the Board of Ethics would attend training annually.

Mr. Losco asked who would be performing the training.

Mr. Quaranta said that would be at the discretion of the City Administrator.

Ms. McCormick suggested using gender neutral pronouns.

Mr. Losco said that once this recommendation is presented to Council they may ask the Task Force to draft the Code.

Mr. Quaranta suggested using this draft outline that the task Force is reviewing, and looking at the codes we have reviewed in meetings.

Rev. Moore asked if it should be required for members of Boards and Commission to attend Council Meetings at least once or twice a year.

Mrs. Baldini said it's asking people to be interested, which is hard to do. She noted that Council passed a Resolution requiring nominees to appear the Council Meeting where their nomination is considered.

Mr. Quaranta said he didn't want to compel people to attend Council meetings; but hopefully they would.

Rev. Moore: Good to attend at least one meeting a month.

Ms. McCormick suggested the chair of the Commission should encourage participants to attend meetings, and be engaged.

Mr. Quaranta said it will not just be Council under the jurisdiction of this Commission; it's all Committees and Commissions. It could be very time consuming, to have representation to all meetings. He also suggested staggered terms for the members.

Mrs. Baldini asked if members are appointed by the Mayor or Council, would that member come off the Commission when their appointing person is no longer in office.

Discussion of staggered terms, and length of terms. Mr. Losco will refer to terms as staggered in the outline.

Ms. McCormick asked if the members of the Board had to be City residents. Mr. Quaranta stated that residency is required for all Boards and Commissions. You also can't be an elected official or an employee to serve on the Commission.

Mr. Losco asked what the minimum age should be, he suggested at least age 21.

Mr. Quaranta said he hoped people with prior public service who have served on committees or commission or as an elected official would serve on this Commission. Ultimately they will be chosen by the Mayor and Council and approved by Council.

Mr. Losco asked what the process would be if one of the members of the Board of Ethics were accused of some violation. He said wording could be built into the Code that they must recuse

themselves, but that means voting could end in a tie, and you would have peers judging one of their own.

Mr. Quaranta stated that the person would have to recuse themselves, and Council can make temporary appointment.

Ms. McCormick recommended instead of filling the vacancy that the person being accused recues themselves as well as the most junior member.

Mr. Losco suggested having the Mayor sit in on the meeting. Mr. Quaranta agreed that having the Mayor sit on would be a better idea than making a temporary appointment.

Mrs. Baldini suggested that the Commission meet twice per year, instead of once per year to review the Code.

Mr. Quaranta made a motion to endorse the December 1, 2017 outline of recommendations to Council as amended by tonight's discussion for further work by the City Solicitor which will serve as a basis for a report of recommendations to send to Council.

Ms. Ms. McCormick seconded the motion, and it was approved unanimous

Mr. Quaranta thanked the members for their contributions.

On a motion by Mrs. Baldini, and second by Rev Moore the meeting adjourned at 8:24 p.m.

Respectfully Submitted,

Kim Burgmuller  
Council Secretary